

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Joshua Brickell	Team: Squad #1	CCRB Case #: 201411739	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) NA, 11/___/2014	Location of Incident: § 87(2)(b) [REDACTED]	Precinct: 44	18 Mo. SOL 5/1/2016	EO SOL 5/1/2016	
Date/Time CV Reported Thu, 11/20/2014 10:21 AM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Thu, 11/20/2014 10:21 AM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. Officers			Unknown

Officer(s)	Allegation	Investigator Recommendation
A. Officers	Abuse: Officers entered and searched § 87(2)(b) [REDACTED] in the Bronx.	[REDACTED]

### Case Summary

On November 20, 2014, § 87(2)(b) filed the following complaint with the Civilian Complaint Review Board (CCRB) on behalf of her son, § 87(2)(b) and her daughter-in-law, § 87(2)(b) via the call processing system. On an unknown date in November of 2014, officers entered and searched § 87(2)(b)'s apartment, located at § 87(2)(b) in the Bronx (**Allegation A**), looking for her daughter, § 87(2)(b). § 87(2)(b) and § 87(2)(b) were the only two in the apartment at the time and no one was arrested.

### Criminal Histories

- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

### Civilian and Officer CCRB Histories

- This is the first complaint involving § 87(2)(b) and § 87(2)(b) (encl. 1A – C).

### Findings and Recommendations

#### Explanation of Subject Officer Identification

§ 87(2)(g)

#### Allegation A -Abuse of Authority: Officers entered and searched § 87(2)(b) in the Bronx.

It is undisputed that officers from the Bronx Warrant Section entered and searched § 87(2)(b) for § 87(2)(b)'s daughter, § 87(2)(b).

Despite the fact that § 87(2)(b) denied that § 87(2)(b) had lived at her apartment for at least five years, an August 19, 2014, arrest warrant for § 87(2)(b) listed her last known address as § 87(2)(b) (encl. 4A).

An arrest warrant gives an officer authority to enter the residence of a suspect to effect an arrest, provided that the officer reasonably believes the suspect to be present at the time. People v. Rodriguez, 19 Misc. 3d 302 (Crim. Ct., New York Co. 2008) (encl. 0A – E). The listing of a suspect's last known home address on an arrest warrant can provide an officer with this reasonable suspicion, provided that a prolonged period of time does not pass between the issuing and the execution of the warrant. People v. Cabral, 147 Misc. 2d 1000 (Sup. Ct., Kings Co., 1990) (encl. 0F – J).

§ 87(2)(g)

Team: \_\_\_\_\_

Investigator:	_____	_____	_____
	Signature	Print	Date

Supervisor:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date